
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Schuylkill Mobile Fone, Inc.)	File No. EB-09-PA-0265
Licensee of Radio Station KB78718)	
Pottsville, Pennsylvania)	NOV No. V201032400011
)	
)	

NOTICE OF VIOLATION

Released: December 8, 2009

By the District Director, Philadelphia Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules¹ to Schuylkill Mobile Fone, Inc., the operator of a radio servicing company and the licensee of several Land Mobile Radio Service Stations.²
2. On November 12, 2009, agents of the Enforcement Bureau's Philadelphia Office, responding to a complaint of unauthorized transmissions on the frequencies 467.875 MHz and 467.925 MHz, inspected the mobile radio station located at Tamaqua Area School District in Tamaqua, Pennsylvania. Tamaqua Area School District reported that Schuylkill Mobile Fone, Inc. programmed the radios. The agent contacted Schuylkill Mobile Fone, Inc. and found the following violation:

47 C.F.R. § 90.427(b) "Except for frequencies used in accordance with § 90.417, no person shall program into a transmitter frequencies for which the licensee using the transmitter is not authorized." Schuylkill Mobile Fone, Inc. confirmed that it had programmed the frequencies 467.875 MHz, 467.925 MHz and 468.750 MHz into the radios being used by Tamaqua Area School District without determining whether they were authorized.
3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Commission's Rules, Schuylkill Mobile Fone, Inc. must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

¹47 C.F.R. § 1.89.

² Schuylkill Mobile Fone, Inc. is the licensee of Private Land Mobile Radio Service Station KB78718.

³47 U.S.C. § 308(b).

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Philadelphia Office
One Oxford Valley Building, Suite 404
2300 East Lincoln Highway
Langhorne, Pennsylvania 19047

4. This Notice shall be sent to Schuylkill Mobile Fone, Inc. at its address of record.
5. The Privacy Act of 1974⁴ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁵

FEDERAL COMMUNICATIONS COMMISSION

Gene J. Stanbro
District Director
Philadelphia District Office
Northeast Region
Enforcement Bureau

⁴P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁵18 U.S.C. § 1001 *et seq.*